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JUN - 5 1992

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of:

Billed Party Preference  
for 0+ InterLATA Calls

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)  
)  
)

CC Docket No. 92-77

ORIGINAL  
FILE

OPPOSITION OF THE  
UNITED STATES TELEPHONE ASSOCIATION  
TO THE  
PETITION TO EXPAND THE SCOPE OF RULEMAKING

The United States Telephone Association (USTA) respectfully submits its opposition to the Petition to Expand the Scope of Rulemaking (Petition) filed May 28, 1992 by the American Public Communications Council (APCC) in the above-referenced proceeding.

The Petition requests the Commission to expand the scope of this rulemaking proceeding to consider the issue of whether exchange carrier payphones should be treated as customer premises equipment. USTA opposes the Petition for the following reasons.

First, the regulatory treatment of exchange carrier payphones is unrelated to the issues to be considered by the Commission regarding billed party preference. Billed party preference routing of 0+ interLATA calls presents complex technical and public policy issues for comment. This proceeding should not be further complicated by the inclusion of extraneous issues.

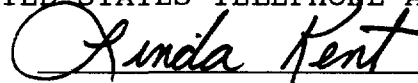
Second, there is no need for further comment on the matter raised in the Petition. The Commission has already received comment on the Petition.<sup>1</sup> Further comment on this issue would be redundant.

Just as the Commission refused to expand CC Docket No. 91-35 to consider this issue,<sup>2</sup> the Commission should reject the Petition in this instance as well.

Respectfully submitted,

UNITED STATES TELEPHONE ASSOCIATION

By



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June 5, 1992

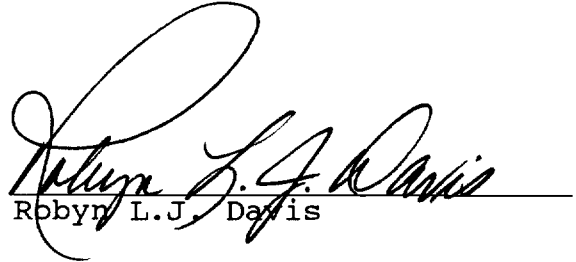
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<sup>1</sup> Public Telephone Council Petition for Declaratory Ruling that Bell Operating Company Pay Telephones are Customer Premises Equipment for Regulatory Purposes, Order, 3 FCC Rcd 6146, released September 22, 1988 ("The Petition of PTC, which elicited twenty-one comments in response to the Public Notice...") and Public Telephone Council Petition for Declaratory Ruling that Bell Operating Company Pay Telephones are Customer Premises Equipment for Regulatory Purposes, Order, 4 FCC Rcd 737, released January 19, 1989 ("The Petition of PTC has elicited 22 comments and 13 reply comments raising complex issues of law and fact.")

<sup>2</sup> See, Policy and Rules Concerning Operating Service Access and Pay Telephone Compensation, FCC 92-170, CC Docket No. 91-35, Second Report and Order, released May 8, 1992 at note 115.

**CERTIFICATE OF SERVICE**

I, Robyn L.J. Davis, do certify that on June 5, 1992 copies of the foregoing Opposition of the United States Telephone Association to the Petition to Expand the Scope of Rulemaking were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.

  
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